



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:16.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.10677 of 2017

WEB COPY

- 1.P.Mariappan, Cook
- 2.T.Muruhaiya, Cook
Government Boys Hostel, Idaikal,
Kadayanallur Taluk,
Tirunelveli District.
- 3.M.Mariammal, Cook
Government Girls Hostel,
Tirunelveli Town,
Tirunelveli.
- 4.M.Thamilarasi, Cook
Government Girls Hostel, Nallammalpuram,
Tirunelveli Taluk and
Tirunelveli District.
- 5.K.Chellapandi, Cook
Government Boys Hostel, Viswanathaberi,
Sivagiri Taluk,
Tirunelveli District.
- 6.P.kani, Cook
Government Boys Hostel,
Tenkasi,
Tirunelveli District.
- 7.A.Subbulakshmi, Cook
Government College Girls Hostel,
Palayapettai, Gandhinagar Post,
Tirunelveli District.
- 8.K.Pattu, Cook
Government College Girls Hostel,
Palayapettai, Gandhinagar Post,
Tirunelveli District.
- 9.R.Bavani, Cook
Government Girls College Hostel,
Tirunelveli District.



10.K.Ramalakshmi, Cook
Government Girls Hostel,
Solaichery, Sankarankoil Taluk,
Tirunelveli District.

11.P.Gandhi, Cook
Government Girls Hostel,
Veerasihamani,
Sankarankovil Post,
Tirunelveli District.

... Petitioners

Vs.

1.The Director & Commissioner of
Backward Classes and
Minorities Welfare Department,
Chepauk, Chennai-5.

2.The District Backward Classes and
Minorities Welfare Officer,
Tirunelveli-9.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to regularize the services of the petitioners retrospectively within a period of 2 years of initial date of joining in 1997 with consequential monetary and other service benefits in the light of the 1st respondent letter No.B1/6174/85 dated 31.01.1986 along with the copy of the G.O.Ms.No.106 Social Welfare Department, dated 17.01.1986 framing Adhoc Rules to bring the petitioners under Regular Time Scale of Pay within a period of 2 years and to extend the benefit of similarly placed persons G.Sankaranathan, M.Murugan and E.Ramathal by order of the 2nd respondent dated 27.11.2015 regularising the service retrospectively within a period of 2 years.

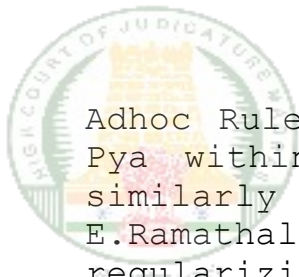
For Petitioners : Mr.S.Govindan

For Respondents : Mr.D.Muruganantham

Additional Government Pleader

ORDER

This Writ Petition is filed for a direction to the second respondent to regularize the services of the petitioners retrospectively within a period of 2 years of initial date of joining in 1997 with consequential monetary and other service benefits, in the light of the first respondent letter No.B1/6174/85, dated 31.01.1986, along with the copy of the G.O.Ms.No.106 Social Welfare Department, dated 17.01.1986 framing



Adhoc Rules to bring the petitioners under Regular Time Scale of Pay within a period of 2 years and to extend the benefit of similarly placed persons G.Sankaranathan, M.Murugan and E.Ramathal, by order of the 2nd respondent dated 27.11.2015 regularizing the service retrospectively within a period of 2 years.

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2.The case of the petitioners is that they were appointed as Cook in the Backward Classes Hostels, in the years 1997-1999 and after completion of 10 years of service, their services were regularized in the year 2007. However, as per G.O.Ms.No.106 Social Welfare Department, dated 17.01.1986, the petitioners are entitled to be regularized from the date of completion of two years of service. For retrospective regularization, the petitioners made representations dated 26.11.2013, 15.04.2014, 28.03.2015, 16.06.2015, 27.09.2016 and 05.05.2017. So far no orders have been passed. Hence, the present writ petition is filed.

3.The learned counsel for the petitioners submitted that this Court may issue a direction to the respondents to consider the petitioners' representations, dated 05.05.2017 within the time stipulated by this Court.

4.The learned Additional Government Pleader appearing for the respondents submitted that the petitioners' representations will be considered in accordance with law.

5.Considering the limited request made by the learned counsel for the petitioners, this Court directs the second respondent to consider the petitioners' representations, dated 05.05.2017 and pass appropriate orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, these Writ Petitions are disposed of. No cost.

Sd/-

Assistant Registrar(CS-III)

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/ /2021

Sub Assistant Registrar(CS)

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To

1.The Director & Commissioner of
Backward Classes and
Minorities Welfare Department,
Chepauk, Chennai-5.

2.The District Backward Classes and
Minorities Welfare Officer,
Tirunelveli-9.

+1 CC to M/s.SPL GP (SR-11990[F] dated 17/03/2021)

W.P. (MD)No.10677 of 2017
16.03.2021

mj (CO)

TR(20.04.2021) 4P 4C